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Drugs & Our Communities

A Plan of Action

This issue presents an alternative drug policy proposed by Greater Washington Americans for Democratic Action. We believe this to be one of the first comprehensive, practical, community-based alternatives to the madness of the "War on Drugs." While some of the recommendations and data apply specifically to Washington, DC, the principles involved could be adapted to any community.

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It is time to end the 'War on Drugs' and begin a drug peace movement.

Peace is not surrender. Peace is not apathy. Peace is not indifference. Peace is the natural state in which problems can be solved rationally unimpeded by violence and vengeance.

We can not hope to wean our children from the drug culture if we simultaneously delare war upon them.

It's time to stop worrying about whether we are being tough enough on drugs and start worrying about whether we're smart enough on drugs. . .

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Drugs and Our Communities: A Plan of Action

Greater Washington Americans for Democratic Action

By Sam Smith

INTRODUCTION

The problem is not under control, to put it mildly -- DC Deputy Police Chief Isaac Fulwood Jr., April 1989

All of the action, in Minneapolis or elsewhere, is just spinning a wheel and chasing our own tails. It ain't working -- Anthony Bouza, Minneapolis Police Chief, September 1988

The so-called "War on Drugs" has failed and will continue to fail unless we take a dramatically different approach to the drug problem in Washington DC, an approach that treats the problem as a public health issue rather than overwhelmingly as a matter of law enforcement.

We have tried the latter approach. It has not worked and spending more money on it will not make it work better. The cure has proved worse than the disease. We are probably losing more of our citizens through murder in the drug wars than through overdose deaths. There are other grim unintended results of our well-meaning but misdirected efforts:

o Aggressive law enforcement policies have increased the stakes in the drug game, thereby contributing to greater violence and danger to law-abiding citizens

o There has been a serious assault on the democratic and constitutional rights of our citizens. The war on drugs has turned out, in reality, to be a war on democracy.

o Badly needed government services are being shortchanged in the panicky effort to find funds to fight drugs.

o A public and political hysteria has been created, in which rational discussion of the problem has become nearly impossible.

o Unsafe sex practices common in prisons have turned our correctional institutions into breeding grounds for the deadly AIDS virus. The extraordinary incarceration rates of the 'war on drugs' has magnified the danger.

o Our minimal level of self-government has been directly threatened by the failure of our drug policies.

In an effort to propose new approaches and to move discussion to a more rational and unhysterical level, Greater Washington Americans for Democratic Action offers this comprehensive plan for the restoration of community order in Washington DC.

We realize that some of the proposals are controversial. This is nothing to be afraid of. We are facing a difficult problem and if we are unable to even discuss controversial ideas we will never find realistic solutions. In fact, some of the controversial ideas contained in this report are discussed behind closed doors, some actually come from high officials, some have proved successful in other countries, some might be endorsed by politicians if they didn't have to run for re-election. Some of the ideas that follow may prove impractical, some require further study, but we will never find solutions if we do not even permit them to come to the discussion table. **We can not continue to limit our alternatives to those we know have failed.**

It is time to discuss these proposals and others like them seriously, rationally and calmly. A whole generation of Washingtonians is depending upon us to do so and thus far, sadly, we have failed them.

We hope this report will be considered in the spirit in which it was composed: to give the city at last the draft of a comprehensive, community-oriented, non-political and realistic plan for dealing with the DC drug problem. We hope it will encourage others to speak more frankly about what they feel privately and will restore courage to those in public life who have taken the easy route of merely responding to the hysteria.

THE GOAL
Reducing Harm

To act effectively, we must understand what we are trying to achieve. Oversimplistic and utopian visions of total elimination of drug use in no way helps us towards reaching what should be our goal: the reduction of the harm caused by drugs -- and the 'war on drugs' -- to our nation, our communities, our individual citizens and our Constitution. We are dealing not with one form abuse -- that of drugs -- but with a whole system of abuse, intricately tied to the drug phenomenon. There is the abuse of the individual who uses drugs, the abuse to the community by the drug trafficker, the abuse to the addict denied proper health care, the abuse of race and class that permits some communities and individuals to be neglected and mistreated, the abuse of our laws and Constitution by overzealous politicians and law enforcement officials, and the abuse to our good sense by those who have used the drug situation for personal political gain.

POLICY #1:
Treat Drugs as a Public Health Matter

Demand reduction can work, has worked, and has the potential to accomplish a great deal more -- Dr. Lloyd Johnson, author of 1988 drug report for the National Institute on Drug Abuse

Have Public Health Commissioner Coordinate All Drug Policy

In recognition of the fact the drug problem is fundamentally a health rather than a criminal matter, the Public Health Commissioner should coordinate all drug policy in DC. The commissioner should not only have

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The Failure of the War on Drugs

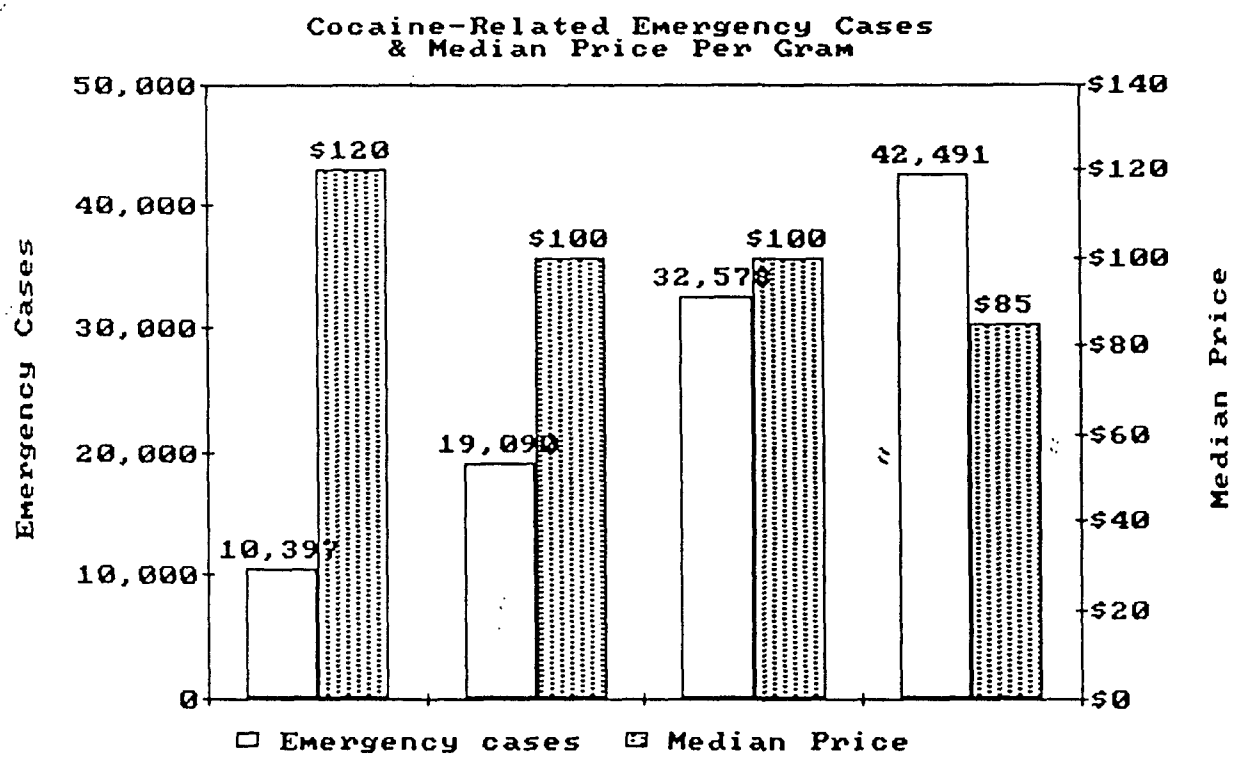

Chart: Greater Washington ADA
Source: Nacotics Intelligence Consumers Committee

This chart demonstrates the failure of current drug policies. During the period 1985-1988, at the peak of the "war on drugs," cocaine emergency-room admissions have been soaring nationally. Meanwhile, the cost of a gram of cocaine has been declining, indicating increased availability Thus the law enforcement approach has managed to reduce neither demand nor supply. Compare this chart with charts at the end of this report showing the trend in cocaine use among prevention-targeted high school seniors.

authority over health programs in the area, but should guide police and other law enforcement officials so that their policies do not conflict with the public health goals of reducing drug dependency and illness.

Institute a Clean Needle Exchange

Because of the danger of the transmission of AIDs by drug addicts, the National Academy of Sciences and other scientific and medical authorities have urged the creation of clean needle exchanges. Unfortunately, only a few communities have taken steps in this direction. It is unconscionable that politicians, police and prosecutors should willfully contribute to a major public health epidemic by opposing such programs. The penalty for being a drug user should not be death by AIDs. The penalty for a city that has many drug users should not be a deadly plague.

Greatly Increase Funds for Treatment and Education

Only a small portion of the drug budget is actually used for treatment and education as opposed to law enforcement. Given the relatively ineffectiveness of the latter approach, the city should move promptly in its budgeting so that, within three years, at least fifty percent of all city funds expended on the drug problem are for prevention and treatment. The specifics of prevention programs should be designed by educators and health officials, not politicians and public relations firms, so that funds for education are actually used for that purpose and not merely create highly visible symbols of alleged concern or to provide government contracts to favored advertising agencies.

Policy #2: End Political and Public Hysteria

We are attempting to solve the drug problem in an atmosphere of political and public hysteria. As a result, the problem has only gotten worse. Meanwhile, policies stemming from this hysteria have already reduced our constitutional rights, threatened the social compact, wreaked havoc on many innocent communities, resulted in enormous waste of public funds, reduced funding for needed public services, and contributed to the needless

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DUTCH TREATMENT

Dutch officials estimate that there are 15,000 to 20,000 drug addicts in the Netherlands, a country with a population of almost 15 million. This is the equivalent of Washington having an addict populaton of around 800.

Holland uses a multi-tiered approach to its drug problem: decriminalization of marijuana, tolerance of other drugs and enforcement against major dealers. It works. Dr Henk Jan Van Vliet, director of the Dutch Drug Research Agency, told the Koppel Report in Sept 1988: "This drug policy that we have developed during the last 20 years in the Netherlands has created a low level of not only marijuana use because of a formal decriminalization, but also a very, very low level of cocaine use, and also a decreasing level of heroin use *** A policy that leads to an availability of drugs or paraphernalia will not always increase drug use, but can help to manage, to contain the problems for the addicts, for the society, and for the immediate circles in which the addict has to live. "

deaths of hundreds of people. We are placing whole communities under de facto martial law. We must deal with the drug problem, but we must do so rationally. Therefore we should:

End Wasteful Expenditures on Flashy But Ineffective Initiatives

The plans to build a new prison and add 700 new police officers should be dropped immediately. They are politically appealing but fiscally extravagant proposals that offer little potential of significantly mitigating the drug problem. Based on Rand Corporation estimates of drug use in DC, to incarcerate every marijuana user in the city would cost over a billion and a half dollars a year. To imprison just all cocaine users would cost nearly half a billion dollars a year. Seven hundred new police officers will cost the city (including pensions and equipment) well over $50 million a year. Money saved should be diverted to programs such as those listed elsewhere in this paper and to badly underfunded conventional programs such as housing and education.

Immediately Cease Unconstitutional Practices

The "War on Drugs" has been ineffective in combatting drugs; it has, however, proved grimly effective as a war on democracy. In the hysteria over drugs our government -- at both the national and the local level -- has engaged in practices which are either unconstitutional or violate the inalienable rights of individuals in a democracy. For this reason, the following current local laws and policies are unacceptable and should be repealed:

o The youth curfew

o Drug testing of citizens not under arrest

o Jump-out squads and other tactics that cross the limits of constitutional police behavior.

o Incarceration without a speedy trial

o Excessive fines and seizures incommensurate with the offense that has been committed.

o The acceleration of court-ordered evictions based on:

- o rumors and innuendos of drug use
- o conduct that did not take place at the residence
- o conduct of any person other than the tenant

o The de facto institution of a pass system for public housing residents and others

o Disparity in drug laws, policies and practices that effectively discriminate based on race and class.

Further, proposals for additional totalitarian measures must be vigorously opposed by both the public and our local officials. To date, these public proposals have included unconstitutional anti-loitering statutes, martial law, denial of bond, calling of the National Guard, required drug testing for drivers' licenses and school admission, and the establishment of massive involuntary "treatment centers" for those who fail drug tests, i.e. concentration camps for drug users.

Take a Holistic Approach to the Drug Problem

It is unreasonable, and has proven a failure, to rely primarily upon the police and prosecutors to solve the drug problem. The police are already doing as much as they can. While the problem is essentially a public health one, and should be coordinated by health officials, there are many fields that can contribute expertise. For example, we need economists who can analyze the drug economy and point out the probable effects of policies on the driving economics of the trade. We need anthropologists to advise the city on the cultural impact of its policies and architects and planners to suggest ways that streets, homes and projects can be made safer and less conducive to drug trafficking and violence. In short, we need to end our one-factor analysis of the drug problem and start treating it as the multi-faceted issue that it is.

Policy #3: Change Our Drug Laws

Walt Kelly once said that we must defend the basic right of Americans to make damn fools of themselves. Freedom does not mean merely the right to behave correctly according to majoritarian values, but to be wrong by those values. The use of even personally harmful substances is not a matter over which the state should impose criminal sanctions unless that use presents a clear threat to other persons. The prevention of such abuse should be a public health matter.

Further, efforts to restrict such personal use by criminal sanctions has proven a woeful failure. DC Police

THE PROBLEM WITH INTERDICTION

Attempting to prevent drugs from entering the country presents an insurmountable problem. Patrolling all American coastline and contiguous territorial waters -- excluding rivers, coves and so forth -- means covering 60,000 square miles of ocean. Two hundred ships on patrol would each have 300 square miles of ocean to watch.

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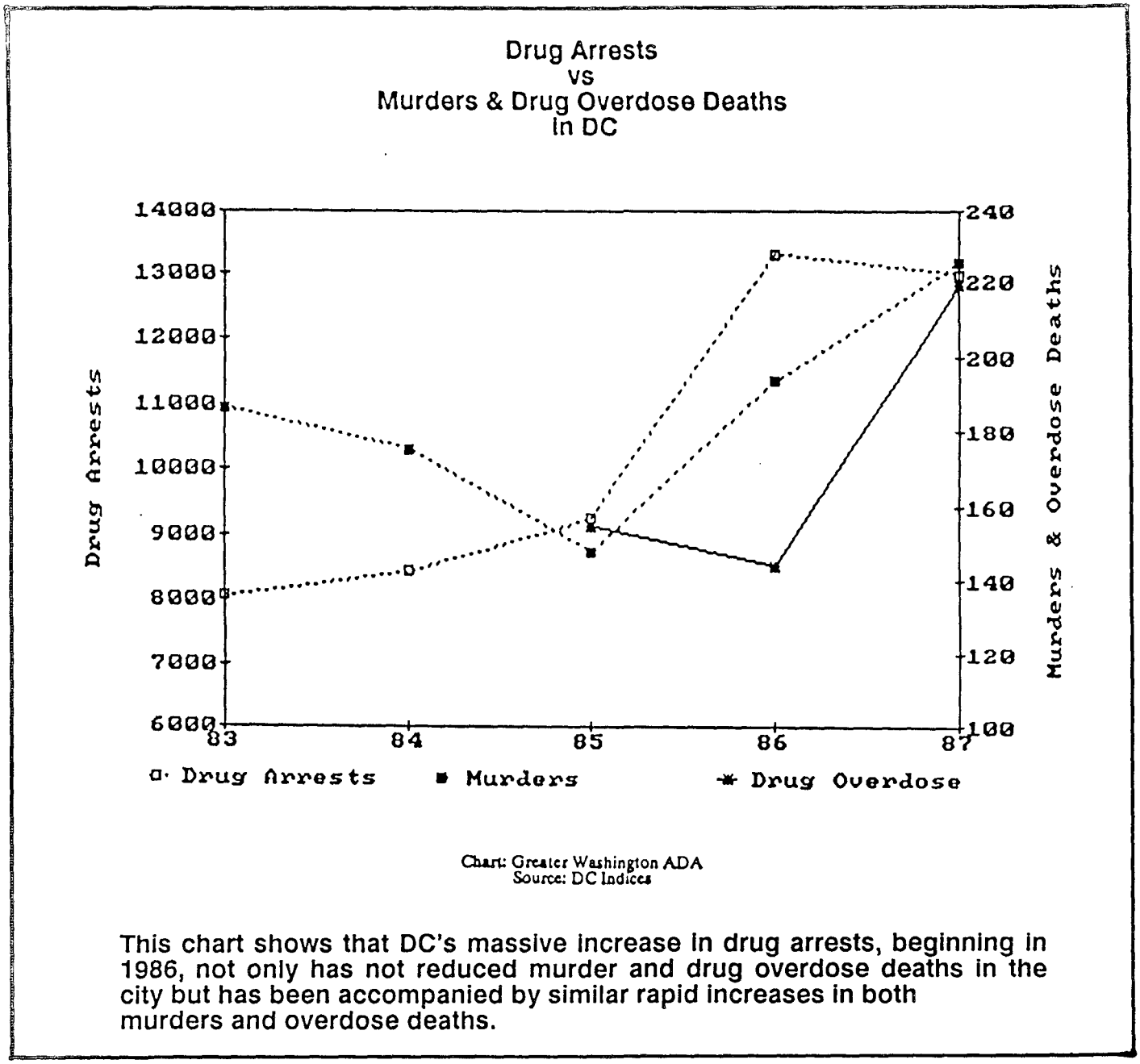

This chart shows that DC's massive increase in drug arrests, beginning in 1986, not only has not reduced murder and drug overdose deaths in the city but has been accompanied by similar rapid increases in both murders and overdose deaths.

Chief Maurice Turner has estimated, for example, that only ten to fifteen percent of those arrested on drug charges actually are convicted and sent to jail. American society has been able to reduce significantly the consumption of only one drug, cigarettes, and has done so with a minimum of legal sanctions and maximum of use of its educational and public health resources. In attempting to reduce drug consumption, we should follow the successful model of the "war on cigarettes" rather than the ill-conceived futile model of the "war on drugs."

If we take this wiser course, we will inevitably move towards a different legal status for drug activity. While this is a complex and controversial issue, it is not one that we should be afraid to discuss. And while, obviously, significant change in this area is dependent on national action, there are steps this city could take, among them:

De-escalate the drug wars

With one-quarter of the city's young adults and teens refusing to obey the law concerning marijuana, this part of the war on drugs has already been lost. We should recognize this by eliminating the sanctions against the use and sale of small quantities of marijuana, a position GWADA has held for over ten years. Marijuana, according to the best medical evidence, is a drug less harmful to the human body on average than either cigarettes or alcohol. Further, it should be noted that until the Reagan administration's crackdown on marijuana, pot was the cheap drug of choice on the streets. With the suppression of marijuana, we did not eliminate the availability of cheap drugs, we simply changed the type: pot was replaced by the far more dangerous crack.

While public policy should be to discourage marijauna use, an education campaign similar to that employed in successfully reducing cigarette consumption is likely to be far more effective than the continuation of criminal

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Ralph Salerno worked for twenty years on the crime beat for the New York City police department and is one of the nation's leading experts on the mob and a consultant to police departments around the country. A few years ago, Salerno told Pacific News Service, he was training a grand jury looking into organized crime in Ft. Laudedale Fla. He told the group that police estimate that they seize, at most, ten percent of the drugs being sold.

"I said to them, 'suppose Ralph Salerno at 8 o'clock tomorrow morning could wave a magic wand and stop 20% of the drugs coming into Broward County from coming in. How many of you would be in favor of that?' All 22 or 23 of them raised their hands.

"I then asked, 'What happens to the price of the 80 percent that is getting through?' And one gentleman -- a businessman -- said it would probably go up. And I said, 'You're probably right.' So what would happen to the statistics of breaks and entries and tape decks ripped out of cars and CB radios stolen and little old ladies knocked down on the ground while someone grabs their pcketbook and runs away? And they said, 'My God, they would go up.'

"One and a half minutes into that educational exercise I asked the same people, how many of you would now like to see me wave my magic wand and cut off 20% of the drugs. And they all voted against it."

sanctions, currently being ignored by tens of thousands of people in this city alone.

Users of other drugs who are undergoing treatment should be exempt from arrest for possession and use of nominal quantities of drugs. The police and prosecutors are not professionally qualified to determine that arrest and incarceration are a preferable treatment method to that in which the addict is currently participating.

The immediate police responsibility should be to de-escalate the drug turf war and to contain (rather than aggressively suppress) the drug problem, recognizing that any significant reduction in drug availability will drive up drug prices and, concurrently, drug violence. Police should concentrate on removing drug transactions from residential neighborhoods.

In coordination with health officials, the police should begin adjusting enforcement of laws regarding possession and use of drugs other than marijuana as treatment facilities and techniques become available.

The city should adopt a multi-tiered legal approach to drug possession, use and sale. Depending on the drug and transaction involved, this approach would include legalization, civil penalties (as with a traffic ticket), limited enforcement(laws remain on the books but are enforced only in aggravated circumstances), zoned enforcement or vigorous enforcement.

Operation Clean Sweep methods should be abandoned as ineffective and counter-productive. Among the latter results have been the moving of the drug trade to previously unaffected neighborhoods and an increase in drug murders as drug dealers forced out of one area move into the turf of other dealers.

Increase the tax on legal drugs such as cigarettes and alcohol. Not only is the current disparity in our policies towards various classes of drugs hypocritical and medically unsound, such a policy would provide additional funds for drug prevention programs.

Goal #4: Rebuild Our Neighborhoods

We'd better start confronting these problems. We'd better understand we're incorporated into these problems. This isn't 'them' or 'they.' The people involved with the drugs and being killed are our children. It's not like somebody crawled out of some hole who is so different from us -- GU basketball coach John Thompson

Those communities that have been most affected by the drug problem are among those that have been most ignored by the city and the nation over the past decade. We are currently seeing the payoff for that indifference. At the national level, we have slowly strangled social programs; at the local level we have let these communities go to seed. Our public housing projects have been grossly mismanaged. Communities hit in the 1968 riots have remained political footballs for most of the period since -- with much promised and little achieved. As a matter of public policy we have permitted anarchy and decay to flourish. We now say we do not like the results, but no amount of law enforcement -- or even public health measures -- will correct the situation if we fail to end our cynical disregard of these communities. The drug problem is in many respects a highly visible symptom of our indifference. We must begin now to rebuild all our communities, with the emphasis on those that have, in the past, been most neglected and today are most abused. We must provide money, services and power to these communities. For a neighborhood to do something about a problem such as drugs it must first have the capacity to help itself. Therefore the city government should consider, study and hold hearings on the following proposals:

BENNETT'S PLAN

[Drug Coordinator William] Bennett plunged into his District initiative without consulting top law enforcement officials, including Attorney General Dick Thornburg. *** [Chuck] Wexler and other senior Bennett aides threw together a short-term package based on sketchy memos and vague assurances from about a dozen parts of the federal bureaucracy. *** Only a few weeks earlier FBI Director William S. Sessions and top aides to Thornburg had been publicly dismissing the District's wave of drug murders as a "local police problem." -- Washington Post, April 23, 1989

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NOT GETTING THE MESSAGE

Although drug arrests are meant to discourage drug use, the city's own figures suggest otherwise. In 1984, 55% of all adult arrestees in DC were found to be using one or more drugs. Despite vastly increased enforcement, by June 1987 this figure had risen to 73%.

Provide Drug-Impact Aid to Affected Communities

Just as America rebuilt Europe after World War II, we need to rebuild our communities so they can recover from the drug wars. This will take money. We have the money; we are just spending it on the wrong things. We need to take money being spent on hysterical responses to the drug problem and apply it to these communities. We need to take money being spent on downtown development and apply it to these communities. We need to cut the public relations budget of the city and apply it to these communities. We need to cut the size of the city bureaucracy and apply the money saved to these communities. We need, in short, to change our budgetary priorities, and repair the communities that the city has let deteriorate.

Give neighborhoods budgetary authority

Advisory neighborhood commissions should have discretionary authority over their share of 1% of the city's budget. They would not actually be given the cash, but rather the authority to tell the city how this money is spent in their neighborhoods. Each neighborhood will have a different vision, but out of these different visions we will get new ideas, locally responsive answers, and a sense of where the people of the DC really want their public funds spent. Some neighborhoods might want more police protection, some might want private guards for public housing projects, others might wish improved recreational programs, and so forth.

Given the size of the DC budget, the sums involved would be significant. For a community of 25,000, for example, it would mean budgetary authority over $1 million. A million dollars disappears in the District Building without being noticed. At the neighborhood level, however, it could have real impact.

Greatly Increase Funding for Recreational and School Extracurricular Activities

One of the ways that middle-class and wealthy communities keep their children out of harm's way is to provide a wide variety of sports and other extracurricular programs. Yet, according to the Washington Post, the public school system spends less than $400,000 on athletic equipment and supplies for all its 180 elementary, junior and senior high schools. High school football teams go without uniforms, the Recreation Department budget languishes, Cardozo High School doesn't have a gym for inter-school games, and the school system even denies entrance to extracurricular activities to its below average students. We must dramatically reverse this situation by a major emphasis on extracurricular activities in poorer neighborhoods and in our schools.

Establish a Neighborhood Constabulary

With money saved from futile and expensive projects like adding 700 more police officers, the city should consider instituting a neighborhood constabulary, starting in drug-impacted neighborhoods. The neighborhood constable would be an unarmed police official wearing non-military dress with authority to issue citations. Constables would come from the neighborhood and would be selected by the local neighborhood commission. While the constabulary would not immediately affect the drug problem, its creation would be part of a program of restoring social order and helping communities regain control of their streets.

Establish Neighborhood Judicial Councils

At the present time, the first time a youth gets in trouble with the law, that youth is arrested by the police and removed from the community for adjudication. This is precisely the wrong message to give the offender. The offense was against the community and the handling of the problem should be, to the extent possible, handled within the community. To this end, neighborhood judicial councils could be established to deal with minor offenses and civil disputes. The city's prosecutorial power would be waived in those cases where restitution and rehabilitation could be accomplished at the community level.

Increase the Powers of the Advisory Neighborhood Commissions

The problems of the city reflect, to no small degree, the effect of attempting to solve every problem at the District Building. The mayor, police, and bureaucrats can not assume the functions of family and community without in the process tending to weaken these institutions. Public policy should be directed to revitalizing leadership, order and consensus at the neighborhood level. To this end, the powers of our city's neighborhood councils, should be increased by such measures as:

o Allowing the commissions to incorporate so they can carry out non-profit business and social service ventures of benefit to the community.

o Allowing commissions to be sub-contractors of the city for the provision of certain services such as food stamps and other service programs.

o Allowing commissions to seek funds from public and non-profit sources other than the DC government.

The goal is to end community anarchy, build community leadership, reestablish a community compact that will include both young and old, and provide restitution to communities too long ignored by both the national and local governments.

ONE BIG SCAM

It is unconscionable to have more than 1000 people on a waiting list for drug treatment programs, as is the case in Washington. In two recent cases, two cocaine abusers attempted suicide after being denied treatment... At this point, it appears that the city officials are engaged in one big scam about drug treatment...Why talk about identifying more drug abusers when the city has failed to develop enough programs to treat those already on the waiting lists?

-- Courtland Milloy, Washington Post, Jun 1988

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Where Cocaine Users In the Metropolitan Area Live

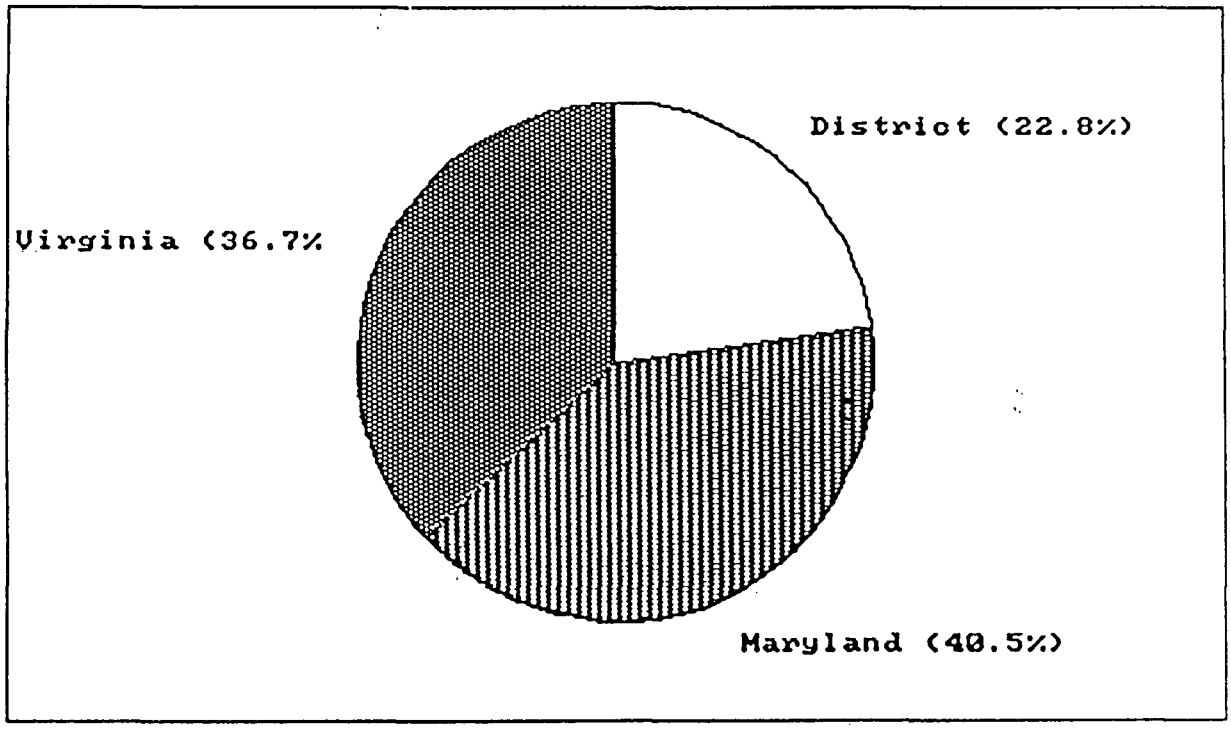

Chart: Greater Washington ADA
Source: Rand Corporation
1985 data

Although national attention has focused on drug abuse in Washington DC, the city represents only a small portion of the area drug problem as this chart of the distribution of area cocaine users show. Nonetheless, DC, and particularly its lower income black neighborhoods, has been targeted by the Bush administration for some of its most aggressive law enforcement efforts.

BEFORE THE WAR ON DRUGS
Before the current drug hysteria, during the last half of the seventies, we were making progress with the problem of that time. During the Carter administration, heroin deaths in major cities dropped from 1700 to under 500 a year. With the subsequent decline of treatment funding, however, these deaths had risen to 1200 by 1985 -- The Progressive Review, July 1988

THE IMPORTANCE OF TREATMENT
The waiting lists for entry into treatment programs are a clear indiciation that the caliber of the ammunition in the war on drugs needs to be increased. The committee urges a greater commitment on the part of federal, state and local governments to the rapid, large-scale expansion of drug-abuse treatment slots -- Report of the National Academy of Sciences, 1988

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AN OUNCE OF PREVENTION?
HIGH SCHOOL USE OF COCAINE
VS COCAINE-RELATED
EMERGENCY ROOM VISITS IN US
Change 1987-1988

NIDA Drug Survey and DAWN Report

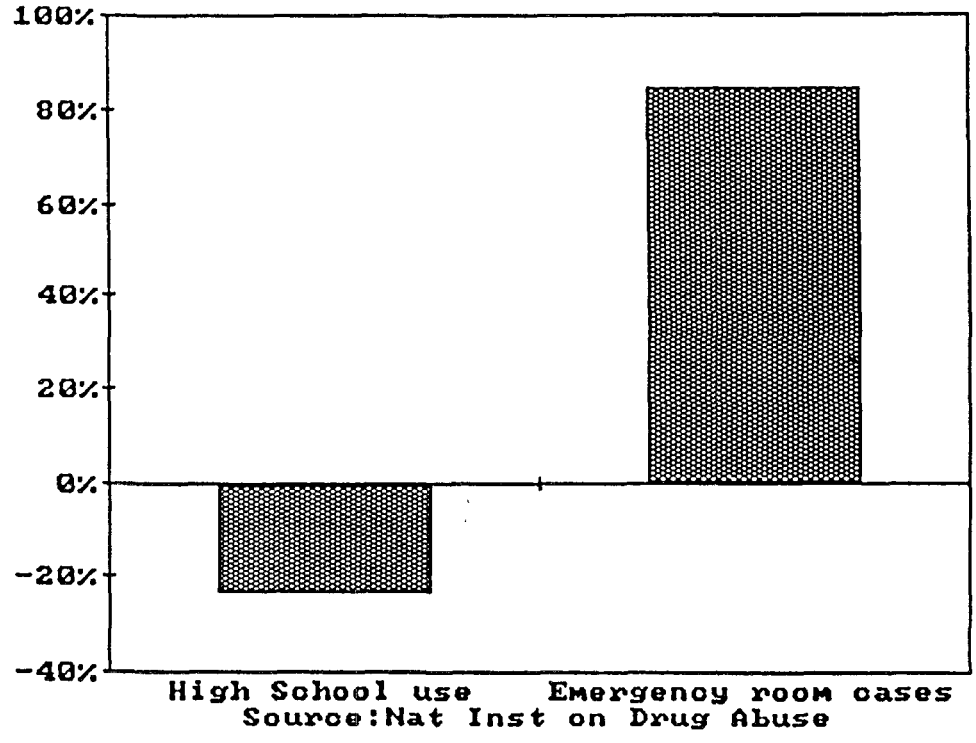

Chart: Greater Washington ADA

Prevention Works

While law enforcement strategies against drugs continue to flounder, prevention strategies are working. Dr. Lloyd Johnston, author of recent report from the National Institute on Drug Abuse, says:

[The] important changes in young people's beliefs and attitudes about these drugs, and the declines in use which accompanied them, tell us a great deal which is relevant to our national strategy in the overall war on drugs. The declines in use have occurred in spite of a continuing increase in the availability of cocaine and crack, as reported by seniors, and a fairly constant level of availability for marijuana. In other words, these important successes have been achieved not through supply reduction: they are due almost entirely to a reduction in demand. These results say to me that demand reduction can work, has worked, and has the potential to accomplish a great deal more."

The charts that follow detail these results. For example, this chart shows how cocaine use by high school seniors, a prevention-targeted group, has dropped in the past year even as cocaine-related emergency visits by the general public have soared. Similarly, NIDA reports that in 1985 the use of illicit drugs was 67% higher among high school drop-outs than among those attending school. A second study in New York found that drop-outs used 50% more cocaine and 80% more marijuana than high school graduates. The key difference is not the availability of drugs, but the availability of education programs.

Other charts compare drug availability, students' assessment of the risk involved in using drugs and their actual use. Clearly, availability -- the target of most police activity -- is not the critical issue. What is important is a change in the perceived dangers of drugs, a change achieved by educational rather than law enforcement means.

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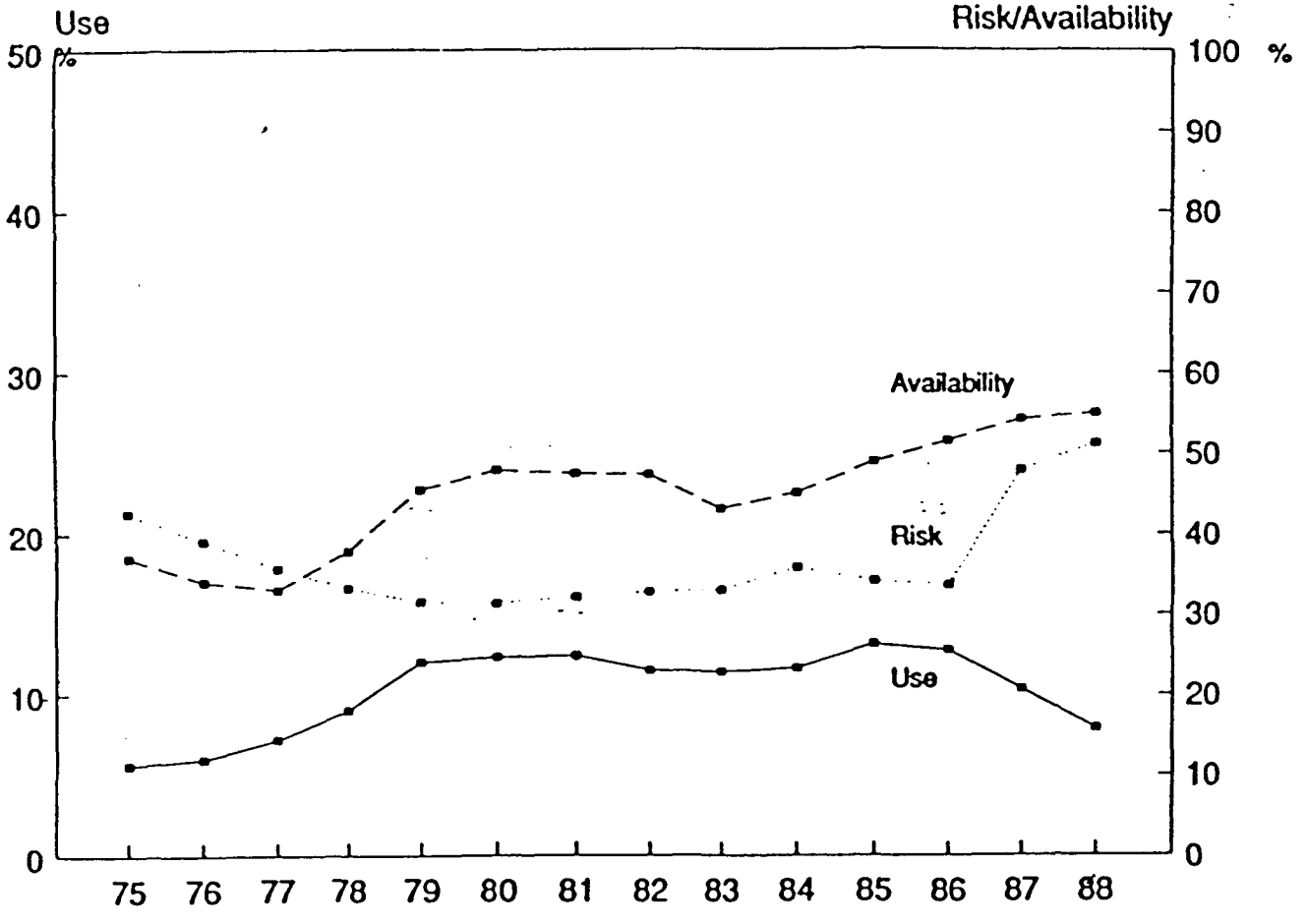
FIGURE 2
Trends in Cocaine Availability,
Perceived Risk of Trying, and Use in Past Year
High School Seniors



Use: % using once or more in past 12 months

Risk: % saying great risk of harm in using once or twice

Availability: % saying fairly easy or very easy to get

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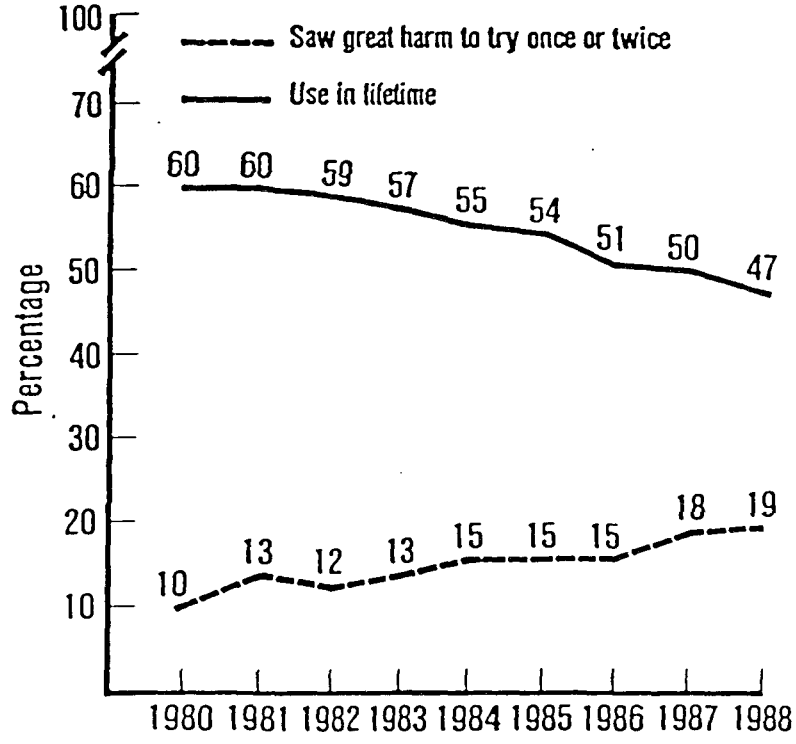
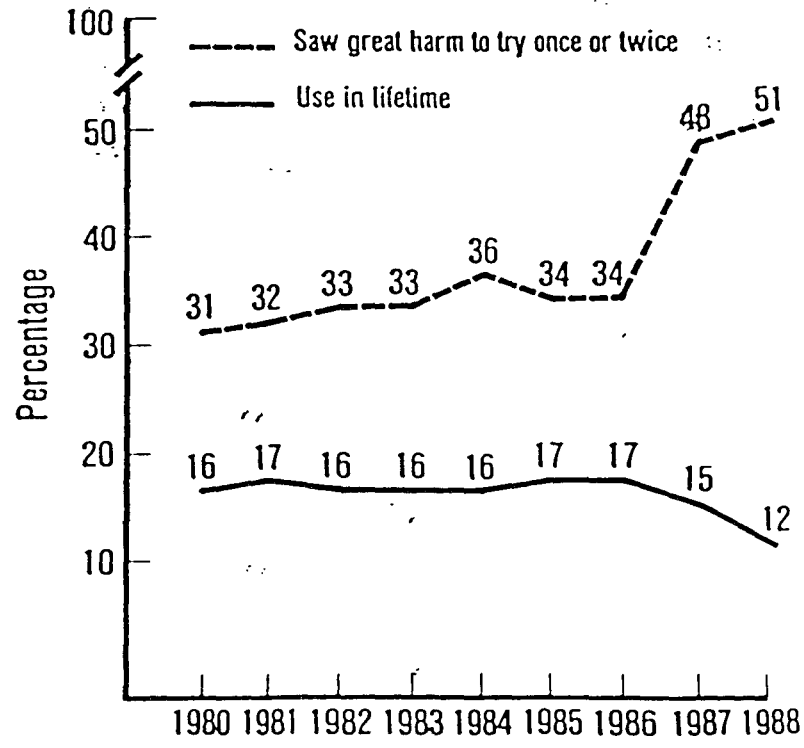
National Institute on Drug Abuse
High School Senior Survey

Correlation Between Marijuana Use and Perceived Harmfulness of Marijuana



Correlation Between Cocaine Use and Perceived Harmfulness of Cocaine



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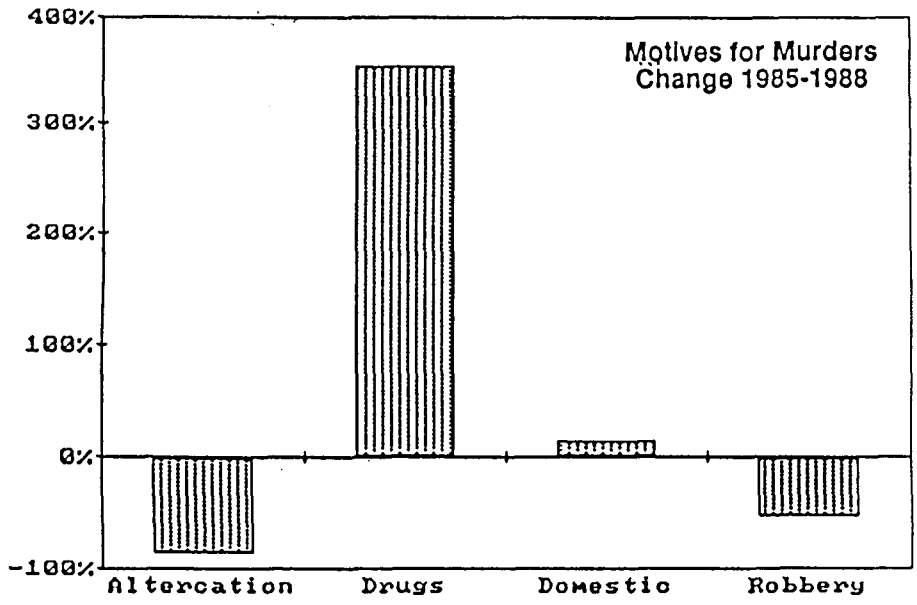

Chart: Greater Washington ADA
Source: Office of Criminal Justice Planning

MURDER BY MOTIVE
Change 1985-1988

Contrary to the popular conception, your chances of being killed in Washington DC (unless you are involved in the drug trade) are less than they were in 1985. This chart shows the changes in number of murders by motives since 1985.

OTHER CRIME

In the case of other forms of crime against persons, the situation varies by category. Rape is down 55% from 1985. Robbery had been in a steady decline since 1981 until last year when it took a sudden leap. Robbery is up 8% from 1985, all of this increase and more occurring last year at the peak of the "war on drugs." Even so, there were 46% **fewer robberies last year** than in 1981!

There has been a steady increase in assaults since 1981, with a 27% increase since 1985. There was also an 18% increase in burglaries, but the level of burglaries in 1988 was still 27% below the level of 1981.

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